

Appln. No.: 10/622,164
Amdt. dated: 06/20/05
Reply to Office Action of: 03/18/05

REMARKS

This Amendment and Response are made in reply to the Office Action dated March 18, 2005, in which the following rejections/objections were made:

Claim 8 was rejected under 35 U.S.C. § 112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Claims 8-10, and 13 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,580,194 to Mizutani et al. Applicants note that although the Office Action Summary, item 6), indicates that claim 11 is rejected, Office Action page 3, section 5, only indicates that claims 8-10, and 13 are rejected. No specific reference to claim 11 is made. Applicants respectfully submit that the Amendment and Response are fully responsive whether claim 11 is considered rejected or allowable.

Claims 1-7, 12, and 14-20 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form.

Applicants respectfully traverse these rejections below. Claims 1-20 were pending, claims 1, 8, 9, 12, and 14 have been amended, and claim 11 has been cancelled, leaving claims 1-10 and 12-20 pending in this application.

Regarding the indefiniteness rejection of claim 8, Applicants respectfully submit that claim 8, as amended, clearly reflects that the grounding member electrically connects the conductive member to the motor housing.

Regarding the anticipation rejections of claims 8-10 and 13, claim 8 has been amended to incorporate the recitations of claim 11. Amended claim 8 recites, in part:
a grounding member having a conductive member side connecting portion and a motor housing side connecting portion; said grounding member electrically connecting said conductive member to said motor housing; wherein said motor housing side connecting portion is fixed to a cover member closing an opening end of said motor housing by a fastening means together with said brush holder.

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Mizutani does not disclose these recitations. The open end of Mizutani's motor housing 3 is closed by resin housing 10, fastened by screws 11. Brush holder 8 is held between the open end of motor housing 3 and resin housing 10, but not fastened to it, for instance by screws 11 (see Fig. 1 and col. 2, lines 49-51, 65-67). Grounding member 26, is held in place by element 26a, which merely slides onto brush holder engagement portion 8a (see Fig. 8), rather than being fastened to resin housing 10. Removing resin housing 10 would be accomplished without detaching brush holder 8 or grounding member 26. Therefore, even if it can be said that Mizutani discloses a motor housing side connecting portion, a closing member, and a brush holder, these elements fail to amount to the arrangement of claim 8, as not one of these elements is fixed to another.

On the other hand, comparing Applicants' Figs. 8A and 8b (see also Fig. 2, vicinity of screw member 38), showing an example of the arrangement recited in the above-quoted part of claim 8, brush holder 40, together with motor housing side connection portion 84, is securely fastened to gear housing 24 (which may serve to close the open end of the motor housing 14; see Fig. 2) by screw member 38. The recited arrangement can allow for more secure electrical connections, result in a simplified assembly requiring fewer parts, and be made more compact than the arrangement disclosed by Mizutani.

As Mizutani does not disclose all the recitations of amended claim 8, Applicants respectfully submit that for at least that reason, claim 8, and dependent claims 9, 10, 12 and 13 are allowable over Mizutani.

Regarding the objections to claims 1-7, 12, and 14-20, claims 1 and 14 have been rewritten as independent claims. Claims 2-6 and 15-20 depend directly or indirectly from claims 1 and 14, respectively. Applicants respectfully submit that the amendments to claims 1 and 14 fully respond to the Examiner's objections regarding claims 1-7 and 14-20. Claim 12, as argued above, depends from what is an allowable

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claim 8. For at least these reasons, Applicants believe that claims 1-7, 12, and 14-20 are allowable.

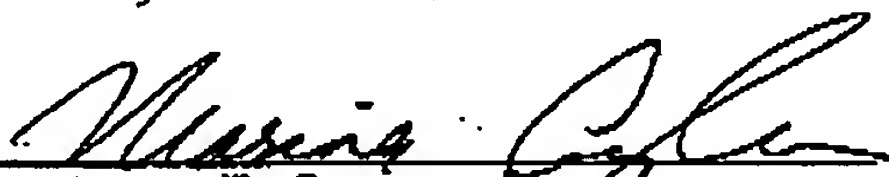
Applicants respectfully submit that nothing in the current amendment constitutes new matter. Amendments to the Abstract, Specification and claim 9 merely correct obvious typographical errors. Amendments to claims 1 and 14 are made in response to Examiner's objections. Amendments to claim 8 merely incorporate the recitations of claim 11, and address the Examiner's indefiniteness rejection.

As Applicants have traversed each and every rejection raised by the Examiner, it is hereby respectfully requested that Examiner withdraw the rejections of claims 8-10, and 13, and pass claims 1-10, and 12-20 to issue.

Applicants believe that no fees are due in connection with this amendment and response. If any fees are deemed necessary, please charge them to deposit account 13-0235.

Respectfully submitted,

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